

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I (a) PLAINTIFFS

HERMAN and EVA ZUCAL, h/w
SIGNAL, INC.,

DEFENDANTS

HONEYWELL INTERNATIONAL, F/K/A ALLIED

Successor in interest to Bendix Corporation

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

NJ

NORTHAMPTON COUNTY

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT MORRIS COUNTY,

NOTE: (IN U.S. PLAINTIFF CASES ONLY)
IN LAND CONDEMNATION CASES, USE THE
LOCATION OF THE TRACT OF LAND INVOLVED

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

George A. Weber, Esquire
Law Offices of Peter G. Angelos, P.C.
60 West Broad Street
Suite 200
Bethlehem, PA 18018
610-866-3333

ATTORNEYS (IF KNOWN)

Rawle & Henderson LLP
The Widener Building
One South Penn Square
Philadelphia, PA 19107
(215) 575-4200

II. BASIS OF JURISDICTION (PLACE AN IN ONE BOX ONLY)

- 1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN IN ONE BOX ONLY)

	PTF	DEF		PTFDEF
Citizen of This State	<input checked="" type="checkbox"/> 9 1	<input checked="" type="checkbox"/> 9 1	Incorporated or Principal Place of Business in this State	<input checked="" type="checkbox"/> 9 494
Citizen of Another State	<input checked="" type="checkbox"/> 9 2	<input checked="" type="checkbox"/> 9 2	Incorporated and Principal Place of Business in Another State	<input checked="" type="checkbox"/> 9 595
Citizen or Subject of a Foreign Country	<input checked="" type="checkbox"/> 9 3	<input checked="" type="checkbox"/> 9 3	Foreign Nation	<input checked="" type="checkbox"/> 9 696

IV. ORIGIN(PLACE AN IN ONE BOX ONLY)

				Transferred from			Appeal to District Judge from
<input checked="" type="checkbox"/> 9 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	<input checked="" type="checkbox"/> 3 Remanded from Appellate Court	<input checked="" type="checkbox"/> 4 Reinstated or Reopened	<input checked="" type="checkbox"/> 5 another district (specify)	<input checked="" type="checkbox"/> 6 Multidistrict Litigation	<input checked="" type="checkbox"/> 7 Magistrate Judgment	

V. NATURE OF SUIT (PLACE AN IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input checked="" type="checkbox"/> 9 110 Insurance Marine	<input checked="" type="checkbox"/> 9 310 PERSONAL INJURY Airplane	<input checked="" type="checkbox"/> 9 362 PERSONAL INJURY Personal Injury--	<input checked="" type="checkbox"/> 9 610 Agriculture <input checked="" type="checkbox"/> 9 620 Other Food&Drug	<input checked="" type="checkbox"/> 9 422 Appeal 28 USC 158
<input checked="" type="checkbox"/> 9 120				<input checked="" type="checkbox"/> 9 400 State
<input checked="" type="checkbox"/> 9 130 Miller Act	<input checked="" type="checkbox"/> 9 315 Airplane Product Liability	<input checked="" type="checkbox"/> 9 365 Med Malpractice Personal Injury-	<input checked="" type="checkbox"/> 9 625 Drug Related Seizure of Prop-	<input checked="" type="checkbox"/> 9 410 Reapportionment
<input checked="" type="checkbox"/> 9 140 Negotiable Instrument			<input checked="" type="checkbox"/> 9 423 Withdrawal 28 USC 157	<input checked="" type="checkbox"/> 9 430 Antitrust Banks and Banking
<input checked="" type="checkbox"/> 9 150 Recovery of Overpayment	<input checked="" type="checkbox"/> 9 320 Assault, Libel &	Product Liability	<input checked="" type="checkbox"/> 9 450 PROPERTY RIGHTS Property 21, USC 881	<input checked="" type="checkbox"/> 9 450
& Enforcement of Judgment	<input checked="" type="checkbox"/> 9 330 Slander Federal Employers--	<input checked="" type="checkbox"/> 9 368 Asbestos Personal Injury Product		<input checked="" type="checkbox"/> 9 460 Commerce/IC C Rates/etc.
<input checked="" type="checkbox"/> 9 151 Medicare Act		Liability	<input checked="" type="checkbox"/> 9 470 Deportation Racketeer Influenced and Corrupt Organizations	
<input checked="" type="checkbox"/> 9 152 Recovery of Defaulted Student Loans	<input checked="" type="checkbox"/> 9 340 Marine	<input checked="" type="checkbox"/> 9 345 Marine Product	<input checked="" type="checkbox"/> 9 810 Patent	<input checked="" type="checkbox"/> 9 810 Selective Service
		PERSONAL PROPERTY	<input checked="" type="checkbox"/> 9 820 Copyrights	<input checked="" type="checkbox"/> 9 850 Trademark
			<input checked="" type="checkbox"/> 9 630 Liquor Laws <input checked="" type="checkbox"/> 9 640 R.R. & Truck	
			<input checked="" type="checkbox"/> 9 650 Airline Regs	<input checked="" type="checkbox"/> 9 460
			<input checked="" type="checkbox"/> 9 660 Occupational Safety/Health	<input checked="" type="checkbox"/> 9 470
				<input checked="" type="checkbox"/> 9 875
			<input checked="" type="checkbox"/> 9 690 Other LABOR	<input checked="" type="checkbox"/> 9 875 Securities/Commodities/ Exchange Customer Challenge
			<input checked="" type="checkbox"/> 9 710 Fair Labor Standards Act	<input checked="" type="checkbox"/> 9 881 12 USC 3410 Agricultural Acts
			<input checked="" type="checkbox"/> 9 861 HIA (1395ff) <input checked="" type="checkbox"/> 9 862 Black Lung (923)	<input checked="" type="checkbox"/> 9 892 Economic Stabilization Act
			<input checked="" type="checkbox"/> 9 863 DIWC/DIWW (405(g))	<input checked="" type="checkbox"/> 9 893 Environmental Matters
			<input checked="" type="checkbox"/> 9 720 Labor/Mgmt Relations	<input checked="" type="checkbox"/> 9 894 Energy Allocation Act
			<input checked="" type="checkbox"/> 9 864 SSID Title XVI	<input checked="" type="checkbox"/> 9 895 Freedom of Information Act
			<input checked="" type="checkbox"/> 9 865 RIS (405(g))	<input checked="" type="checkbox"/> 9 900 Appeal of Fee Determination Under Equal Access to Justice
				<input checked="" type="checkbox"/> 9 950
				<input checked="" type="checkbox"/> X 890 Constitutionality of State Statutes Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	FEDERAL TAX SUITS	
<input checked="" type="checkbox"/> 9 210 Land Condemnation	<input checked="" type="checkbox"/> 9 441 Voting	<input checked="" type="checkbox"/> 9 510 Motions to Vacate	<input checked="" type="checkbox"/> 9 870 Taxes (U.S. Plaintiff or Defendant)	
<input checked="" type="checkbox"/> 9 220 Foreclosure	<input checked="" type="checkbox"/> 9 442 Employment	Sentence	<input checked="" type="checkbox"/> 9 740 Railway Labor	
<input checked="" type="checkbox"/> 9 230 Rent Lease & Ejectment	<input checked="" type="checkbox"/> 9 443 Housing/ Accommodations	<input checked="" type="checkbox"/> 9 530 Habeas Corpus <input checked="" type="checkbox"/> 9 540 Mandamus & Other	<input checked="" type="checkbox"/> 9 790 Act Other Labor	<input checked="" type="checkbox"/> 9 871 IRS - Third Party 26 USC 7609
<input checked="" type="checkbox"/> 9 240 Torts to Land			<input checked="" type="checkbox"/> 9 791 Litigation Empl. Ret. Inc.	
<input checked="" type="checkbox"/> 9 245 Tort Product Liability	<input checked="" type="checkbox"/> 9 444 Welfare	<input checked="" type="checkbox"/> 9 550 Civil Rights		
<input checked="" type="checkbox"/> 9 290 All Other Real Property	<input checked="" type="checkbox"/> 9 440 Other Civil Rights		<input checked="" type="checkbox"/> 9 791 Security Act	

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.
DO NOT CITE JURISDICTION STATUTES UNLESS DIVERSITY.)

28 USC § 1452(A) & 1334(B) and Federal Bankruptcy Rule 9027

VII. REQUESTED IN COMPLAINT: **CHECK IF THIS IS A CLASS ACTION** **DEMAND \$** Check YES only if demanded in complaint:
 JURY DEMAND: **9 YES** **9 NO**

VIII. RELATED CASE(S) IF ANY (See Instructions): **JUDGE** N/A **DOCKET NUMBER** N/A

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY
RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

FOR THE EASTERN DISTRICT OF PENNSYLVANIA C DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Herman and Eva Zucal, 537 Lehigh St., Wind Gap, PA 18091

Address of Defendant: Honeywell International, f/k/a Allied Signal, Inc., Columbia Road and Park Avenue, Morristown, New Jersey 07962

Place of Accident, Incident or Transaction: Asbestos Exposure in Pennsylvania and elsewhere
(Use Reverse Side For Additional Space)

Does this case involve multidistrict litigation possibilities?

Yes

No

RELATED CASE IF ANY

Case Number: N/A Judge N/A Date Terminated: N/A
 Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes No
2. Does this case involve the same issues of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes No
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this Court? Yes No

CIVIL: (Place : in *ONE CATEGORY ONLY*)

A. *Federal Question Cases:*

1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones ActCPersonal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All other Federal Question Cases (please specify) 28 USC ' 1452, 1334(b); Bankruptcy Rule 9027(a)(3)

B. *Diversity Jurisdiction Cases:*

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products LiabilityCAsbestos
9. All Other Diversity Cases (Please specify)

ARBITRATION CERTIFICATION

(Check appropriate Category)

I, Peter J. Neeson, Esquire, counsel of record do hereby certify:

- Pursuant to Local Civil Rule 8, Section 4(a)(2), that, to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000 exclusive of interest and costs;
- Relief other than monetary damages is sought.

DATE: _____ Peter J. Neeson, Esquire _____ 27601

Attorney I.D. #

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: _____ 27601

Attorney I.D. #

CIV. 609(9/99)

FOR THE EASTERN DISTRICT OF PENNSYLVANIA C DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Herman and Eva Zucal, 537 Lehigh St., Wind Gap, PA 18091

Address of Defendant: Honeywell International, f/k/a Allied Signal, Inc., Columbia Road and Park Avenue, Morristown, New Jersey 07962

Place of Accident, Incident or Transaction: Asbestos Exposure in Pennsylvania and elsewhere
(Use Reverse Side For Additional Space)

Does this case involve multidistrict litigation possibilities?

Yes No

RELATED CASE IF ANY

Case Number: N/A Judge N/A Date Terminated: N/A
Civil cases are deemed related when yes is answered to any of the following questions:

- | | |
|--|--|
| 4. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 5. Does this case involve the same issues of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 6. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> No <input type="checkbox"/> |

CIVIL: (Place : in *ONE CATEGORY ONLY*)

A. *Federal Question Cases:*

1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones ActCPersonal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All other Federal Question Cases (please specify) 28 USC § 1452, 1334(b); Bankruptcy Rule 9027(a)(3)

B. *Diversity Jurisdiction Cases:*

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products LiabilityCASbestos
9. All Other Diversity Cases (Please specify)

ARBITRATION CERTIFICATION

(Check appropriate Category)

I, Peter J. Neeson, Esquire, counsel of record do hereby certify:

- Pursuant to Local Civil Rule 8, Section 4(a)(2), that, to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000 exclusive of interest and costs;
- Relief other than monetary damages is sought.

DATE: _____

Peter J. Neeson, Esquire
Attorney-at-Law

27601

Attorney I.D. #

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: _____

Attorney-at-Law

27601

Attorney I.D. #

CIV. 609(9/99)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

HERMAN ZUCAL and	:	
EVA ZUCAL, h/w	:	
	:	
v.	:	Civil Action No. 02-3173
HONEYWELL INTERNATIONAL, INC.	:	
f/k/a ALLIED SIGNAL, INC., Successor	:	
in interest to BENDIX CORPORATION,	:	
et al.	:	

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Manage Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See ' 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus -- Cases brought under 28 U.S.C. ' 2441 through ' 2255()
- (b) Social Security -- Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits.()
- (c) Arbitration -- Cases required to be designated for arbitration under Local Civil Rule 8.()
- (d) Asbestos -- Cases involving claims for personal injury or property damage from exposure to asbestos.()
- (e) Special Management -- Cases that do not fall into tracts (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases)(X)
- (f) Standard Management -- Cases that do not fall into any one of the other tracks.()

(Date)

Attorney-at-law
 Attorneys for Defendant Honeywell International, Inc., f/k/a Allied Signal as successor in interest to Bendix Corporation

RAWLE & HENDERSON LLP
BY: PETER J. NEESON, ESQUIRE
STEWART R. SINGER, ESQUIRE
JOHN C. McMEEKIN II, ESQUIRE
INC.,
ATTORNEY I.D. NO. 27601/62006/81250
THE WIDENER BUILDING
ONE SOUTH PENN SQUARE
PHILADELPHIA, PA 19107
(215) 575-4200
R&H File No.: 516,195 (Angelos)

**ATTORNEYS FOR DEFENDANT,
HONEYWELL INTERNATIONAL,
INC., F/K/A ALLIED SIGNAL,

SUCCESSOR-IN-INTEREST TO
BENDIX CORPORATION**

UNITED STATES DISTRICT COURT
[EASTERN DISTRICT]

HERMAN ZUCAL and :
EVA ZUCAL, h/w :

v. :

HONEYWELL INTERNATIONAL, INC. : Civil Action No. 02-3173
f/k/a ALLIED SIGNAL, INC., Successor :
in interest to BENDIX CORPORATION :

**NOTICE OF REMOVAL PURSUANT TO 28 U.S.C. 1452
AND FEDERAL RULE OF BANKRUPTCY PROCEDURE 9027**

TO: ALL PARTIES ON ANNEXED SERVICE LIST

Honeywell International, Inc., f/k/a Allied Signal, Inc., (A Honeywell@), as successor in interest to the Bendix Corporation (ABendix@), by and through its undersigned counsel, Rawle & Henderson LLP, hereby gives notice of the removal to the United States District Court for the Eastern District of Pennsylvania of the claims that have been asserted against Honeywell in the action captioned Herman and Eva Zucal, h/w v. ACandS, Inc., et al, now pending in the Common Pleas Court of the State of Pennsylvania, County of Northampton, with April Court Term and Number C0048AB2002000252. This Notice of Removal is filed pursuant to 28 U.S.C. ¶ 1452(a) and Rule 9027(a)(3) of the Federal Rules of Bankruptcy Procedure, and as grounds for such removal Honeywell respectfully states as follows:

1. On October 1, 2001 (the "Petition Date"), Federal-Mogul Global, Inc. (collectively "Federal-Mogul") filed a voluntary petition for relief under chapter 11 of Title 11 of the United States Code,

11 U.S.C. ¶ 101 et seq. (the ~~ABankruptcy Code@~~) in the United States Bankruptcy Court for the District of Delaware, commencing bankruptcy case number 01-10578.

2. The above referenced state action, which is ~~Arelated to@~~ the removed claims, was commenced on April 30, 2002, by the filing of a Summons & Complaint in the Court of Common Pleas of Northampton County.

3. The removed claims are for personal injury or wrongful death asserted against Honeywell. Honeywell, formerly known as Allied Signal Inc., is the successor in interest to Allied Corporation which, in turn, was the successor in interest to The Bendix Corporation. The Automotive Sector of Allied Signal Inc. was the business unit within Allied Signal Inc. which continued the ~~ABendix@~~ line of automotive friction products.

4. Federal-Mogul, or companies acquired by Federal Mogul Global, Inc., are named as co-defendants of Honeywell in this action.

5. The plaintiff(s) in the above referenced action have asserted that joint and several liability arises as to each named co-defendant in this action.

6. As a result, in the above referenced action Honeywell has either affirmatively asserted a cross-claim for indemnification and/or contribution against Federal-Mogul, or such a cross-claim against Federal-Mogul arises automatically by operation of law.

7. Conversely, Federal-Mogul has also either affirmatively asserted a cross-claim for indemnification and/or contribution against Honeywell, or such a cross-claim against Honeywell arises automatically by operation of law.

8. The above referenced claims for personal injury asserted against Honeywell, as well as the cross-claims asserted by Honeywell and the corresponding cross-claims asserted by Federal-Mogul, may

be removed to this Court pursuant to 28 U.S.C. § 1452(a). Removal of these claims is proper because the removed claims are: asserted in a civil action; not exempt from removal; and this Court has subject matter jurisdiction over the removed claims pursuant to 28 U.S.C. § 1334 due to the fact that these cross-claims asserted by and against Honeywell are related to@ Federal-Mogul's bankruptcy proceeding. See In re Dow Corning Corp., 86 F.3d 482, 494 (6th Cir. 1996) (holding that Section 1334(b) related to@subject matter jurisdiction exists over actions for indemnification and contribution claims asserted by non-debtor co-defendants against the debtor).

9. Removal to this Court is timely pursuant to Rule 9027 (a)(3) of the Federal Rules of Bankruptcy Procedure in that the claims in the civil action are related to@the October 1, 2001, Federal-Mogul bankruptcy case, and this Notice has been filed within thirty days after: (1) receipt of the initial pleading setting forth the claim or cause of action sought to be removed, or (2) receipt of the summons, if the initial pleading has been filed with the court but not served with the summons.

10. Consent of the other named co-defendants is not necessary for removal pursuant to 28 U.S.C. § 1452. See Creasy v. Coleman Furniture Corp., 763 F.2d 656, 660 (4th Cir. 1985). Further, a cost bond is not required to accomplish this removal.

11. Upon removal, the proceedings with respect to the removed claims are non-core. Honeywell does not consent to entry of a final order or judgment by the bankruptcy judge to the extent the bankruptcy court is authorized to hear or determine such claims consistent with 28 U.S.C. § 157(b)(5).

12. On December 17, 2001, Honeywell filed a Motion to Transfer, pursuant to 28 U.S.C. § 157 (b)(5) (the ATTransfer Motion@), with the United States District Court for the District of Delaware asking that Court to issue a provisional order to transfer the above referenced removed claims for a consolidated resolution of the threshold scientific question, by means of a Daubert hearing, whether the plaintiffs in the

underlying actions can establish that automotive friction products containing encapsulated asbestos fibers can be the proximate cause of certain asbestos-related medical disorders. See 28 U.S.C. § 157(b)(5) (1994); Daubert v. Merrill Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993); In re Dow Corning Corp., 86 F.3d at 496-97 (holding that 28 U.S.C. § 157(b)(5) vests the power to fix venue over personal injury or wrongful death actions pending against non-debtor co-defendants which are ~~related to~~ a debtor=s bankruptcy proceeding, pursuant to 28 U.S.C. § 1334(b), with the district court where the bankruptcy case resides). See Exhibit AA.@

13. On December 19, 2001 the Honorable Alfred M. Wolin of the United States District Court for the District of Delaware issued an Order in favor of Honeywell that: (1) partially withdrew the reference; and (2) provisionally transferred the Friction Product claims to the United States District Court for the District of Delaware, (the ~~A~~Provisional Order~~@~~), subject to further Orders of that Court. See Exhibit AB.@

14. On January 4, 2002 the Honorable Alfred M. Wolin of the United States Bankruptcy Court for the District of Delaware issued an Order (the ~~A~~Clarification Order~~@~~), that clarified the Provisional Order by extending the provisional transfer of Friction Product claims to include claims that would have been subject to the Provisional Order, but had not yet been removed on the date of the Provisional Order. See Exhibit AC.@

15. On February 8, 2002 the Honorable Alfred M. Wolin of the United States Bankruptcy Court for the District of Delaware issued an Order (the ~~A~~Remand Order~~@~~), granting plaintiffs= Motion for Remand. See Exhibit AD.@

16. On February 11, 2002 the Honorable Anthony J. Scirica of the United States Court of Appeals for the Third Circuit issued an Order temporarily granting an Emergency Motion for Stay (the ~~A~~Stay Order~~@~~), pending appeal of the Remand Order by appellants. See Exhibit AE.@

17. On March 19, 2002, the Honorable Anthony J. Scirica of the United States District Court of Appeals for the Third Circuit issued an Order (the AStay Clarification Order@), that clarified that the Stay Order issued on February 11, 2002 applies to all appellants and to all removed claims before the Delaware District Court. See Exhibit AF.@

18. On March 25, 2002, Chief Judge Becker of the Third Circuit Court of Appeals issued an order establishing a briefing schedule and set June 17, 2002, as the date to hear oral argument on the appeal (the AScheduling Order@). See Exhibit AG.@

19. A copy of the Scheduling Order also provides that A[t]he temporary stay entered by this Court on February 11, 2002, as clarified by the Order of March 19, 2002, will remain in effect until further order of the merits panel.@ See Exhibit AG.@

20. Honeywell respectfully submits that the effect of the stay pending appeal is to leave in place the previous transfer orders issued by the Delaware District Court. Because the Remand Order has been stayed, the Delaware District Court's provisional transfer order is still the operative order, and all claims removed by Honeywell continue to be provisionally transferred automatically to Delaware.

21. Accordingly, pursuant to Judge Weiner's Order dated April 12, 2002 (the AAbstention/Remand Order@) all pending motions for abstention and remand are denied without prejudice . . . [t]he cases are administratively dismissed, subject to reinstatement following the determination of the bankruptcy issues by Judge Wolin and any subsequent appeals thereto.See Exhibit AH.@

22. A copy of this Notice of Removal and related documents have been served by regular mail on counsel of record for all represented parties and upon all unrepresented parties to the action pending in state court.

Respectfully submitted,

RAWLE & HENDERSON LLP

By:

Peter J. Neeson, Esquire
Stewart R. Singer, Esquire
John C. McMeekin II, Esquire

Attorneys for Defendant

Honeywell International, Inc., f/k/a Allied Signal
as successor in interest to Bendix Corporation

Dated:

**CERTIFICATION OF STATE COURT
RECORDS, PLEADINGS AND PROCEEDINGS**

I, Peter J. Neeson, Esquire; Stewart R. Singer, Esquire; John C. McMeekin, Esquire; of full age, certify that on this day, we attached to the Notice of Removal as Exhibit AI®, a copy of all of the appropriate records, pleadings and proceedings in the State Court as requested by this Court.

Respectfully submitted,

RAWLE & HENDERSON LLP

By:

Peter J. Neeson, Esquire
Stewart R. Singer, Esquire
John C. McMeekin II, Esquire

Attorneys for Defendant

Honeywell International, Inc., f/k/a Allied Signal
as successor in interest to Bendix Corporation

Dated:

CERTIFICATION OF SERVICE

I, Peter J. Neeson, Esquire/Stewart R. Singer, Esquire/John C. McMeekin II, Esquire, of full age, hereby certify that on this day, I caused a true and correct copy of Defendant=s Notice to Remove Pursuant to 28 U.S.C. 1452 of the United States Code and Rule 9027(a)(3) of the Federal Rules of Bankruptcy Procedure to be served on all counsel listed below as follows.

VIA HAND DELIVERY

George A. Weber, III, Esquire
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Bethlehem, PA 18018
Attorney for Plaintiff

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Two Penn Center, 16th Floor
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Philadelphia, PA 19102
Attorney for ACandS, Inc.

Edward J. Wilbraham, Esquire
Wilbraham, Lawler & Buba
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Philadelphia, PA 19103

**Attorney for Amchem Products, Inc., Foseco, Inc., Pneumo Abex Corporation and
Union Carbide Chemical & Plastics Co., Inc.**

Joel D. Gusky, Esquire
Harvey, Pennington, Herting & Renneisen, Ltd.
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Attorney for Clayton, Dubilier & Rice

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Attorney for Cooper Industries

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Attorney for Crown, Cork & Seal

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Attorney for Daimler Chrysler Corporation and General Motors Corporation

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Swartz, Campbell & Detweiler
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Attorney for Flintkote Co., Reilly Benton

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Mellon Bank Center

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Attorney for Flintkote Co.

Mark Lipowicz, Esquire

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Attorney for Ford Motor Company

Tracey M. McDevitt, Esquire

Reilly, Janiczek & McDevitt, P.C.

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Attorney for Foster-Wheeler Corporation and Premier Refractories, Inc.

E. Michael Keating, III, Esquire

Hollstein, Keating, Cattell, Johnson & Goldstein

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Daniel Segal, Esquire

Hangley, Aronchick, Segal & Pudlin

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Philadelphia, PA 19103

Attorney for General Refractories Company

Daniel J. Ryan, Jr., Esquire

Marshall, Dennehey, Warner, Coleman & Goggin

1845 Walnut St.

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